

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Wb D.C.

05 SEP 29 PM 5: 10

MORGAN & THORNBURG, INC.,

Plaintiffs,

v.

Civil Action No.: 05-2109 M1/V

M.A. MORTENSON COMPANY,
FEDERAL INSURANCE COMPANY, and
AMERICAN HOME ASSURANCE
COMPANY,

Defendants,

NEW MEMPHIS ARENA PUBLIC BUILDING
AUTHORITY OF MEMPHIS & SHELBY
COUNTY,

Intervening Defendant
and Third-Party Plaintiff,

v.

ELLERBE BECKET, INC.,

Third-Party Defendant

ORDER GRANTING MOTION FOR LEAVE TO AMEND

Third Party Ellerbe Becket, Inc. has moved the Court for leave to amend to file a counterclaim for sums due and owing to it from Third Party Plaintiff New Memphis Arena Public Building Authority of Memphis and Shelby County.

It is early in this litigation, and Rule 15 provides that leave to amend shall be freely granted, it is therefore

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ORDERED that Third Party Ellerbe Becket, Inc. is granted leave to amend to file a counterclaim against Third Party Plaintiff New Memphis Arena Public Building Authority of Memphis and Shelby County. The counterclaim must be filed within thirty (30) days *of date of entry of this order.*

~~HON. JON P. McALLA
UNITED STATES DISTRICT JUDGE~~

OR

Diane K. Vesco
HON. DIANE VESCOVO
UNITED STATES MAGISTRATE JUDGE

September 29, 2005

APPROPRIATELY
FILED

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Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 2:05-CV-02109 was distributed by fax, mail, or direct printing on October 3, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT